



FEDERAL ELECTION COMMISSION

WASHINGTON, D C 20463

VIA CERTIFIED MAIL, RETURN RECEIPT REQUESTED

Michael K. Forde
Mayer, Brown, Rowe & Mawe LLP
190 South La Salle Street
Chicago, IL 60603-3441

APR 27 2005

RE: MUR 5405
Hynes for Senate and Jeffrey C. Wagner,
in his official capacity as treasurer

Dear Mr. Forde:

On February 25, 2005, the Federal Election Commission (the "Commission") notified Hynes for Senate (the "Committee") and Jeffrey C. Wagner, in his official capacity as treasurer, of its findings with respect to them in the above referenced matter. The Commission also advised the Committee and Mr. Wagner that the file in this matter remained open, and that it would receive additional instructions regarding confidentiality and disgorgement when the entire file is closed.

Under the Federal Election Campaign Act of 1971, as amended (the "Act"), corporations are prohibited from making contributions or expenditures from their general treasury funds in connection with any election of any candidate for federal office. 2 U.S.C. § 441b(a). The Act also provides that no person shall make a contribution in the name of another person or knowingly permit their name to be used to effect such a contribution. 2 U.S.C. § 441f.

The Commission determined that the following contributions came from a prohibited source:

25044111906

DATE	CONTRIBUTOR	AMOUNT
03/05/03	Dawn Burdelik	\$4,000
03/05/03	Kin Cheung	\$4,000
03/05/03	Sharon Linares	\$4,000
03/05/03	Lawrence Yip	\$4,000
06/30/03	Grace Chao	\$6,000
06/30/03	Monica Fletcher	\$4,000
06/30/03	Marian Stang	\$4,000
09/29/03	Dawn Burdelik	\$2,000
09/29/03	Charissa Chao	\$4,000
09/29/03	Philip Chao	\$4,000
09/29/03	Kin Cheung	\$4,000
09/29/03	Monica Fletcher	\$2,000
09/29/03	Sharon Linares	\$2,000
09/29/03	Marian Stang	\$2,000
09/29/03	Amy Yuen	\$4,000
10/03	James Chao	\$1,500
12/30/03	Dawn Burdelik	\$1,700
12/30/03	Kin Cheung	\$1,800
12/30/03	Monica Fletcher	\$1,900
12/30/03	Sharon Linares	\$1,600
12/30/03	Marian Stang	\$1,800
12/30/03	Amy Yuen	\$1,600
12/31/03	Grace Chao	\$2,000
12/31/03	Mei Fung Choi	\$1,400
12/31/03	Lawrence Yip	\$1,700
	Total	\$71,000

The Commission reminds you that the treasurer of a political committee is responsible for examining all contributions received by the political committee for evidence of legality. 11 C.F.R. § 103.3(b). Contributions that present genuine questions as to whether they were made by legal sources may be deposited into a campaign depository or returned to the contributor. If any such contribution is deposited, the treasurer shall make his or her best efforts to determine the legality of the contribution. 11 C.F.R. § 103.3(b)(1). If the treasurer determines that at the time a contribution was received and deposited it did not appear to be made in the name of another or exceed contribution limits, but later discovers that it is illegal based on new evidence not available to the political committee at the time of receipt and deposit, the treasurer shall refund the contribution within thirty days of the date on which the illegality was discovered. 11 C.F.R. § 103.3(b)(2). Because the prohibited source waived its rights to refunds of these

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contributions, the money should be disgorged to the U.S. Treasury by sending a check, made payable to the U.S. Treasury and referencing MUR 5405, to the following address:

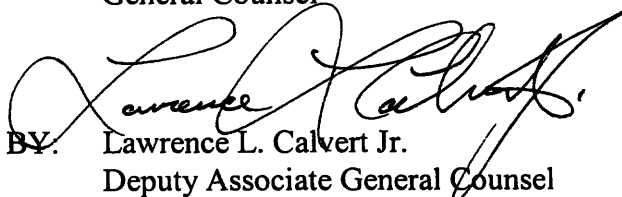
Federal Election Commission
Office of General Counsel
999 E Street, N.W.
Washington, D.C. 20463

This is to advise you that the file in this matter has been closed and this matter is now public. Documents related to the case will be placed on the public record within 30 days. See Statement of Policy Regarding Disclosure of Closed Enforcement and Related Files, 68 Fed. Reg. 70,426 (Dec. 18, 2003).

If you have any questions, please contact Adam Schwartz, the attorney assigned to this matter at (202) 694-1650.

Sincerely,

Lawrence H. Norton
General Counsel

BY: 
Lawrence L. Calvert Jr.
Deputy Associate General Counsel
for Enforcement

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